

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

V.

DEON JORDAN,

Defendant.

CASE NO. CR14-5225BHS

ORDER

This matter comes before the Court on Defendant's unopposed motion to continue the
trial motions deadline and the trial date. The Court, having considered the unopposed motion
and defendant's speedy trial waiver, makes the following findings of fact and conclusions of

1. Defense counsel is waiting for key evidence to become available for inspection and testing, as well as to receive lab reports once they are complete.

2. In addition to ongoing discovery, the defense investigator is unavailable to assist with trial preparation due to his required assistance in another trial set to start before Judge Bryan on July 22, 2014.

3. The defense needs additional time to explore all relevant issues and defenses applicable to the case, which would make it unreasonable to expect adequate preparation for

1 pretrial proceedings or for trial itself within the time limits established by the Speedy Trial Act
2 and currently set for this case. 18 U.S.C. § 3161(h)(7)(B)(ii).

3 4. Taking into account the exercise of due diligence, a continuance is necessary to allow
4 the defendant the reasonable time for effective preparation his defense, to explore resolution of
5 this case before trial and to substantially ensure continuity of defense counsel. 18 U.S.C. §
6 3161(h)(7)(B)(iv).

7 5. Proceeding to trial absent adequate time for the defense to prepare would result in a
8 miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

9 6. The ends of justice served by granting this continuance outweigh the best interests of
10 the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A) and (B).

11 7. Defendant waived speedy trial through November 18, 2014.

12 NOW, THEREFORE, IT IS HEREBY ORDERED

13 That the trial date is continued from July 22, 2014, to November 4, 2014, at 9:00 a.m.
14 Pretrial Conference is set for October 27, 2014, at 10:00 a.m. Pretrial motions are due by
15 October 1, 2014. The resulting period of delay from June 27, 2014, to November 4, 2014, is
hereby excluded for speedy trial purposes under 18 U.S.C. § 3161(h)(7)(A) and (B)

16 Dated this 2nd day of July, 2014.

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BENJAMIN H. SETTLE
United States District Judge